

Superior Court of the District of Columbia
CRIMINAL DIVISION

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

USW NO.:

2012 CEWSL0002942

DEFENDANT'S NAME: MARSHALL, MICHAEL T				NICKNAME: "MIKEY OR SIKEY"		ALIASES:		CCN: 11-152249	PDID: 549450
SEX: M	RACE: BLK	DOB: 03-20-87	HGT: 6'5"	WGT: 200	EYES: BRN	HAIR: BLK	COMPL: MED	SCARS, MARKS TATTOOS: UNKNOWN	
DEFENDANT'S HOME ADDRESS: [REDACTED] BIRNEY PLACE, [REDACTED], SOUTHEAST								TELEPHONE NUMBER: NONE	
DEFENDANT'S BUSINESS ADDRESS: UNKNOWN								TELEPHONE NUMBER: NONE	
COMPLAINANT'S NAME: HEADSPETH, ANTONIO								TELEPHONE NUMBER: N/A	
LOCATION OF OFFENSE: 1165 STEVENS ROAD (REAR OF)						DATE OF OFFENSE: October 17, 2011		TIME OF OFFENSE: 0138 HOURS	

CAUTION AND MEDICAL CONDITIONS (CMC) Select a valid CMC code below for wanted person when using the caution indicator.

<input checked="" type="checkbox"/> 00 = Armed and Dangerous	<input type="checkbox"/> 25 = Escape Risk	<input type="checkbox"/> 65 = Epilepsy	<input type="checkbox"/> 61 = Other (Explain)
<input checked="" type="checkbox"/> 05 = Violent Tendencies	<input type="checkbox"/> 30 = Sexually Violent Predator	<input type="checkbox"/> 70 = Suicidal	
<input type="checkbox"/> 10 = Martial Arts Expert	<input type="checkbox"/> 50 = Heart Condition	<input type="checkbox"/> 80 = Medication Required	
<input type="checkbox"/> 15 = Explosive Expertise	<input type="checkbox"/> 55 = Alcoholic	<input type="checkbox"/> 85 = Hemophilia	
<input type="checkbox"/> 20 = Known to abuse drugs	<input type="checkbox"/> 60 = Allergies	<input type="checkbox"/> 90 = Diabetic	

GIVE BRIEF DESCRIPTION OF WHAT HAPPENED:

On Monday, October 17, 2011, at approximately 0138 hours, members of Metropolitan Police Department and Emergency Medical Services responded to the rear of [REDACTED] Stevens Road, Southeast, for the report of a shooting. Upon arrival to the scene, members located the decedent, Antonio Headspeth (also known as "Ock" and "Coach"), in the rear of the location lying against a chain linked fence. The decedent, who was suffering from apparent gunshot wounds to the body, was pronounced dead on the scene.

On Monday, October 17, 2011, Doctor Pierre-Louis of the DC Office of the Chief Medical Examiner performed a post-mortem examination and autopsy on the decedent's remains. At the conclusion of the procedure, the cause of death was determined to be multiple gunshot wounds. The manner of death was ruled a homicide.

During the course of the preliminary investigation, members of law enforcement secured an area surrounding the decedent's body and located thirteen expended .40 caliber shell casings, and two bullet fragments. The shell casings were later linked through ballistic testing to a .40 caliber semi-automatic handgun that was recovered by law enforcement during the course of the investigation.

During the investigation, this affiant learned from witnesses that the decedent carried a cellular phone with the number 240-[REDACTED], although this phone was not recovered from the scene of the murder. Members of law enforcement obtained the call detail records (CDR's) and corresponding cell site information related to the decedent's cell phone from around the time of his death. During an analysis of the records, members discovered that the decedent's phone was used near the crime scene minutes prior to his death. The cell site records further indicate that the phone was transported after the decedent's murder to an area near the 1300 block of Savannah Street, SE.

During the investigation, this affiant learned from a witness, hereinafter referred to as W-1, that as of October 17, 2011, Michael Marshall carried and used a cellular phone with the phone number 202-[REDACTED]. This affiant obtained and has reviewed records as to this number that reflect a subscriber with a different name than Michael Marshall and an address not specifically connected with Mr. Marshall. However, this affiant has interviewed that subscriber who confirmed that while IT did not recall having a cellular phone with that particular number it has lost a number of phones, including during 2011; ITS place of employment is within a short distance of the 1300 block of Savannah Street, SE. Moreover, this affiant has obtained CDR's as to 202-[REDACTED] that reflect a number of calls to and from subjects whom this affiant knows through investigation to

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be associated with Mr. Marshall. The CDR's for the decedent's cellular phone reflect that a call was made to the decedent's phone from 202 [REDACTED] at 1:13 a.m. on October 17, 2011, and that the decedent's phone called that number at 1:17 a.m., approximately twenty minutes prior to the murder.

During the course of the investigation, this affiant learned through witnesses that Michael Marshall had a girlfriend (hereinafter referred to as "the girlfriend"). On October 17, 2011, the girlfriend's grandmother lived at [REDACTED] Savannah Street, SE, Apartment [REDACTED] (hereinafter referred to as "the grandmother's house"). The girlfriend maintained a bedroom in the grandmother's house, kept belongings in the house, and had routine access to that bedroom. Witnesses have indicated that Michael Marshall has visited the girlfriend at the grandmother's house.

A witness, hereinafter referred to as W-2, reported that following the murder of decedent Antonio Headspeth, IT learned that defendant Michael Marshall was attempting to solicit assistance in removing a handgun from the grandmother's house. Specifically, W-2 learned that the handgun was being concealed inside a bedroom closet in the girlfriend's room at the grandmother's house. Upon learning this, W-2 gained entry into the grandmother's house, located and took possession of the handgun, a Glock .40 caliber semi-automatic handgun that was concealed inside a purse in the closet. Immediately after taking possession of the handgun, W-2 turned over the weapon to members of law enforcement. Subsequently, the firearm underwent ballistic testing and was determined to be the weapon used in the murder of decedent Antonio Headspeth.

A third witness, hereinafter referred to as W-3, was located and interviewed. W-3 reported that IT was in close proximity to the homicide when IT heard shots and observed Michael Marshall, whom W-3 knew as "Mikey," firing a handgun at an individual who was clinging to a fence in the Barry Farm neighborhood. W-3 ultimately learned that the individual who was shot was Antonio Headspeth, whom W-3 knew as "Ock." W-3 reported that Michael Marshall was wearing dark clothing with a face mask that was open in the front. W-3 could see Michael Marshall's face, which was exposed through the open portion of the mask, and could also identify Michael Marshall based on his dreadlocks, height, and body frame. W-3 has known Michael Marshall for at least four months.

During a photo-viewing procedure, W-3 was shown a 9-photo array containing a photograph of the defendant, Michael Marshall, and eight additional photographs. Upon viewing the array, W-3 identified defendant Michael Marshall as the individual IT observed shoot and kill the decedent.

As alluded to above, the crime scene was located in Barry Farm Dwellings, a residential neighborhood that encompasses the 1100-1200 blocks of Sumner Road, the 1100-1300 blocks of Eaton Road, and the 1100-1300 blocks of Stevens Road, Southeast, Washington, D.C. Large alleys are located within this community that run through the entire property; smaller alley ways are utilized to gain entry off the main street. The configuration of these alleys can cause one to be confused or disoriented moving about them, particularly at night. In order to determine the accuracy and credibility of W-3's account, your Affiant met with W-3 in the neighborhood and had IT describe again what IT had seen and where IT had seen it. W-3 directed your Affiant to the rear alley in the 1300 block of Stevens Road, Southeast as the scene of the shooting; while this alley is one alley away from the scene of the murder, it in fact closely resembles that alley, both having a lamppost at their mouth and having direct access to Stevens Road.

W-3 has indicated that IT had consumed an illegal substance approximately six hours prior to the shooting. W-3 indicated that this substance did not affect IT's ability to observe the offense or the defendant. This affiant has learned that W-3 has been paid money in the past by law enforcement for providing information to police. Specifically, your affiant has learned that since beginning in approximately 2010 and ending in 2011, W-3 provided information to police regarding narcotics offenses in the District of Columbia. However, W-3 was not so serving law enforcement at the time IT was interviewed with respect to this case and has received no remuneration or benefits of any kind for any information IT has provided as to this matter. Finally, this affiant has learned that in a previous, unrelated homicide case, W-3 was interviewed and made an inaccurate statement to law enforcement in that IT provided certain information as if IT had first-hand knowledge about it when in fact IT had received that information from a family member; ITS expressed motivation was to protect the

alibi, W-3, W-2, W-1

W-3
11/12/11 and 11/13/11

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identity and safety of that family member. This statement was not made under oath, and W-3 admitted the inaccuracy of the statement, and his motivation for making it, in the same interview.

Based on aforementioned facts and circumstances, your affiant believes that probable cause exists to believe that defendant Michael Marshall utilized a handgun and shot decedent Antonio Headspeth. The affiant submits that the gunshot wounds sustained during the offense resulted in the decedent's demise. Therefore, the affiant respectfully requests that a D.C. Superior Court Arrest Warrant be issued for the arrest of Michael Marshall, PDID #549450. All events occurred in the District of Columbia.

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PLEASE ISSUE A WARRANT FOR:

AFFIANT'S SIGNATURE:

X

SUBSCRIBED AND SWORN TO BEFORE ME THIS

CHARGED WITH: SECOND DEGREE MURDER WHILE ARMED

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DAY OF

September, 2012

ASSISTANT UNITED STATES ATTORNEY

(JUDGE) (DEPUTY CLERK) SUPERIOR COURT
OF THE DISTRICT OF COLUMBIA

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